

Local Rule 73.1(b)

CONSENT TO TRIAL BEFORE UNITED STATES MAGISTRATE

(b) Conduct of Trials and Disposition of Civil Cases Upon Consent of the Parties [28 U.S.C. 636(c)].

(1) Consent. The Magistrate Judge located in Cheyenne, Wyoming, or such other magistrate judge as may be designated by the Court, may conduct any or all proceedings in any civil case which is filed in this Court, including the conduct of a jury or non-jury trial, and may order the entry of final judgment, in accordance with 28 U.S.C. 636(c). In the course of conducting such proceedings upon consent of the parties, such magistrate judge may hear and determine any and all pretrial and post-trial motions which are filed by the parties, including case dispositive motions.

(2) Notice to Parties. The Clerk of Court shall notify the parties in all civil cases that they may consent to have a magistrate judge conduct any or all proceedings in the case and order the entry of final judgment. Notice shall be handed to or mailed to the plaintiff or his representative at the time an action is filed. Notice shall be representative at the time an action is filed. Notice shall be attached to copies of the complaint and summons to be served on defendants. Additional Notice may be furnished to the parties at later stages of the proceedings and may be included with pretrial notices and instructions.

(3) Consent Form. It is not necessary for one consent form to be executed by all the parties; each party may separately sign a consent form and file it individually with the Clerk of Court. Each party shall serve a copy of the executed consent form on all other parties at the time of filing. In the event one or more of the parties fail to file a consent form, the matter shall proceed before a district judge, unless leave of court to proceed before a magistrate judge is first obtained. No consent form will be made available, nor will its contents be made known to any judge or magistrate judge, unless all parties made known to any judge or magistrate judge, unless all parties have consented to reference to a magistrate judge.

(4) After Consent Form Executed. After the consent form has been executed and filed, the Clerk of Court shall transmit it to the trial judge to whom the case has been assigned for order of referral of the case to a magistrate judge. Thereafter, a magistrate judge shall have the authority to conduct any and all proceedings to which the parties have consented and to direct the Clerk of Court to enter a final judgment in the same manner as if a district judge had presided, provided consent for such action has been given.

November 30, 1996

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

Case Number _____

Plaintiff(s)

VS

Defendant(s)

STIPULATION OF CONSENT TO TRIAL
BEFORE UNITED STATES MAGISTRATE JUDGE
ENTRY OF FINAL JUDGMENT BY UNITED STATES MAGISTRATE
AND CONSENT TO APPEAL TO UNITED STATES COURT OF APPEALS

The undersigned parties, by and through their attorneys, are fully aware of the right to trial of the captioned proceeding before a Judge of the United States District Court for this District and do hereby specifically waive trial before the District Judge and consent to (jury/non-jury) trial before a United States Magistrate Judge and specifically authorize entry of final judgment by the United States Magistrate Judge, pursuant to 28 U.S.C. 636(c), Fed.R.Civ.P. 73 and U.S.D.C.L.R. 73.1(b)(1).

Plaintiff(s)

Defendant(s)

Dated this _____ day of _____, _____.